

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:  
WARREN D. SCHICKLI  
KING & SCHICKLI, PLLC  
247 NORTH BROADWAY  
LEXINGTON, KY 40507

**PCT**

REC'D 08 MAR 2005

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## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing (day/month/year) <b>04 MAR 2005</b>	
<b>FOR FURTHER ACTION</b> See paragraph 2 below	
Applicant's or agent's file reference <b>242-213 PCT</b>	
International application No. <b>PCT/US04/12060</b>	International filing date (day/month/year) <b>20 April 2004 (20.04.2004)</b>
Priority date (day/month/year) <b>21 April 2003 (21.04.2003)</b>	
International Patent Classification (IPC) or both national classification and IPC <b>IPC(7): B62D 53/06 and US Cl.: 280/433</b>	
Applicant <b>CEQUENT TOWING PRODUCTS, INC.</b>	

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application


### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Daniel G. DePumpo  Telephone No. 703 308 1113
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WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US04/12060

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

b. format of material

☐ in written format

☐ in computer readable form

c. time of filing/furnishing

☐ contained in international application as filed.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/US04/12060

**Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims <u>2-15, 27-29, 31 and 32</u>	YES
	Claims <u>1, 16-26 and 30</u>	NO
Inventive step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-32</u>	NO
Industrial applicability (IA)	Claims <u>1-32</u>	YES
	Claims <u>NONE</u>	NO

**2. Citations and explanations:**

Claims 1 and 30 lack novelty under PCT Article 33(2) as being anticipated by Daniels. Daniels teaches a hitch assembly having a jaw body 27 with a stepped bearing surface 51.

Claims 16 and 25 lack novelty under PCT Article 33(2) as being anticipated by Chambers. Chambers teaches a hitch assembly including a jaw body 20, a control handle 26/28 and a connecting link 29.

Claims 16-26 lack novelty under PCT Article 33(2) as being anticipated by McCoy. McCoy teaches a hitch assembly having a jaw assembly 28 as claimed.

Claims 14, 15, 31 and 32 lack an inventive step under PCT Article 33(3) as being obvious over Daniels. The specific dimensions of the step would have been an obvious design expedient.

Claims 1-15, 17-24 and 26-32 lack an inventive step under PCT Article 33(3) as being obvious over Chambers in view of Daniels. To include a stepped bearing surface would have been obvious in view of Daniels, to provide a sturdier jaw body.

Claims 1-15 and 27-32 lack an inventive step under PCT Article 33(3) as being obvious over McCoy in view of Daniels. To include a stepped bearing surface would have been obvious in view of Daniels, to provide a sturdier jaw body.

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<b>FOR FURTHER ACTION</b> See paragraph 2 below		
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Applicant <b>CEQUENT TOWING PRODUCTS, INC.</b>		

1. This opinion contains indications relating to the following items:

- |                                     |              |  |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the opinion   |
| <input type="checkbox"/>            | Box No. II   | Priority   |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability   |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention   |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited  |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application   |
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International application No.

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a. type of material

☐ a sequence listing

☐ table(s) related to the sequence listing

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4. Additional comments:

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INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/US04/12060

**Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

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	Claims <u>1-32</u>	NO
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	Claims <u>NONE</u>	NO

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# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 242-213 PCT	<b>FOR FURTHER ACTION</b>		See item 4 below
International application No. PCT/US2004/012060	International filing date ( <i>day/month/year</i> ) 20 April 2004 (20.04.2004)	Priority date ( <i>day/month/year</i> ) 21 April 2003 (21.04.2003 )	
International Patent Classification (IPC) or national classification and IPC 7 B62D 53/06			
Applicant CEQUENT TOWING PRODUCTS, INC.			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |                                     |              |   |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the report   |
| <input type="checkbox"/>            | Box No. II   | Priority  |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention  |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited   |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application   |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 740 14 35	Date of issuance of this report 21 October 2005 (21.10.2005)  Authorized officer  <div style="text-align: center; font-weight: bold;">Dorothee Mülhausen</div>  Telephone No. +41 22 338 87 40
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